

ORDER

APPLICATION 10126

PERMIT 5779

LICENSE 2886

ORDER ALLOWING CORRECTION OF DESCRIPTION OF
POINT OF DIVERSION, CORRECTION OF DESCRIPTION OF
PLACE OF USE AND CORRECTION OF DESCRIPTION
OF SOURCE

WHEREAS License 2886 was issued to U. S. Tahoe National Forest and was filed with the County Recorder of Placer County on October 24, 1947, and

WHEREAS the State Water Rights Board has found that the correction of description of point of diversion, correction of description of place of use and correction of description of source under said license for which petition was submitted on May 12, 1964, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said corrections and has directed that an order be issued to describe said point of diversion, place of use and source in accordance with said petition;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to correct the description of the point of diversion under said License 2886 to read as follows, to wit:

NORTH THREE THOUSAND (3000) FEET AND EAST ONE THOUSAND AND FIFTY (1050) FEET FROM SW CORNER OF SECTION 21, T16N, R12E, MDB&M, BEING WITHIN SW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SAID SECTION 21, AND

IT IS FURTHER ORDERED that permission be and the same is hereby granted to correct the description of place of use under said License 2886 to read as follows, to wit:

SW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 21, T16N, R12E, MDB&M, AND

IT IS FURTHER ORDERED that permission be and the same is hereby granted to correct the description of the source under said License 2886 to read as follows, to wit:

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 10126

PERMIT 5779

LICENSE 2886

TEXAS HILL SPRING TRIBUTARY TO AN UNNAMED STREAM THENCE EAST
FORK OF THE NORTH FORK OF NORTH FORK AMERICAN RIVER.

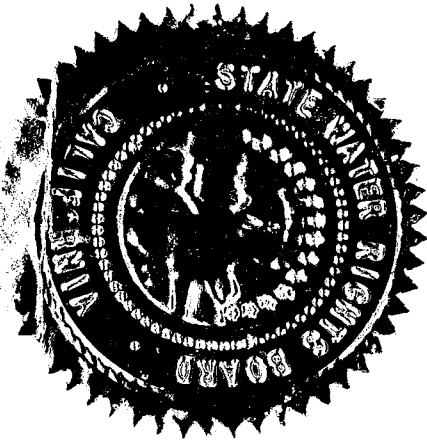
WITNESS my hand and the seal of the State Water Rights Board of the

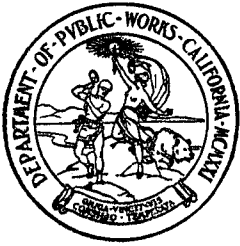
State of California this

21st day of August, 1964

L. K. Hill

L. K. Hill
Executive Officer





STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

License for Diversion and Use of Water

LICENSE 2886

PERMIT 5779

APPLICATION 10126

THIS IS TO CERTIFY, That **United States - Tahoe National Forest**

Nevada City, California

has made proof as of **August 18, 1944**

(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the waters of **Texas Hill Spring in Placer County**

tributary to **Monumental Creek, thence North Fork of the North Fork of the American River**

for the purpose of **domestic use, stockwatering and fire protection uses**

under Permit **5779** of the Department of Public Works and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Department of Public Works and the terms of the said permit; that the priority of the right herein confirmed dates from **February 20, 1941;**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed **twenty three hundred fifty (2350) gallons per day for domestic and stockwatering purposes or seventy one hundred fifty (7150) gallons per day total for domestic, stockwatering and fire protection purposes from about June 1, to about December 31, of each season, provided, however, that nothing herein contained shall be construed as confirming in license any right, which shall be good as against a subsequent appropriator, to an amount for fire protection purposes in excess of what is reasonably necessary to maintain an adequate reserve in storage for fire protection except when there exists an actual need thereof for fire fighting use.**

This license is based on the use of water made during the year 1944 which was the year of maximum use within the three year period immediately preceding the date of inspection.

The point of diversion of such water is located **North, twenty six hundred Sixty (2660) feet and West, Six hundred three (603) feet from the Southeast corner of Section 20, T. 16 N., R. 12 E., M.D.B. & M., being within the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 20.**

A description of the lands or the place where such water is put to beneficial use is as follows: **domestic use, stockwatering and fire protection purposes within the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20, T. 16 N., R. 12 E., M.D.B. & M.**

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water, and to prevent unreasonable interference with vested rights.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Engineer.

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.



Witness my hand and the seal of the Department of Public
Works of the State of California, this 22nd
day of October, 1947

EDWARD HYATT, State Engineer

By [Signature]
Deputy State Engineer

LICENSE 2886

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

LICENSE
TO APPROPRIATE WATER

ISSUED TO United States - Tahoe National Forest

DATED _____